



DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720
Ser DNS-36SF/15U107045
August 11, 2015

Mr. Sidney L. Matthew
Sidney L. Matthew, P.A.
135 South Monroe Street, Suite 100
P.O. Box 1754
Tallahassee, FL 32302

Dear Mr. Matthew:

This is in reference to your Freedom of Information Act (FOIA) request dated February 14, 2014, and received in our office on March 7, 2014 and assigned FOIA Case Number DON-NAVY-2014-003717.

As we previously advised you, unclassified issuances released by Secretary of the Navy (SECNAV) and Chief of Naval Operations (OPNAV) are publicly available at <http://doni.daps.dla.mil/default.aspx>. DON subcomponents use these issuances as the basis for their internal guidelines, policies, rules, and instructions. Issuances are identified by their Standard Subject Identification Code (SSIC), as described in SECNAV M-5210.2, "Department of the Navy Standard Subject Identification Code (SSIC) Manual." Accordingly, issuances from DON subcomponents in support or execution of specific SECNAV or OPNAV issuances will be identified with the same or similar SSIC.

Please be advised that your request is unclear with regard to the records requested. You describe specific types of situations for which you are requesting "Guidelines, Policies, Rules and Instructions," but the associated descriptions are often too specific, and make it difficult to identify the general instruction (or instructions) applicable.

As a result, specifically in regard to items 1-10, we are interpreting your request as a request for the applicable instructions with regard to personnel and physical security for Building 197, and for the applicable instructions with regard to personnel security for Newport Rhode Island Navy Yard. Building 197 is located under Naval Support Activity Washington (NSAW) (Washington Navy Yard), in Naval District Washington (NDW), and operated by Naval Sea Systems Command (NAVSEA). Commander, Naval Installations Command (CNIC) is the DON command responsible for management of Naval installations.

As a result, this office coordinated with the offices that would hold applicable instructions; NAVSEA, NSAW, NDW, and CNIC.

Frequently-requested NAVSEA instructions (to include NAVSEA personnel and physical security) are publicly available at <http://www.navsea.navy.mil/Organization/NAVSEA%20Instructions.aspx>. NDW and NSAW are subcomponents of CNIC.

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Additionally, you requested copies of "Navy policies, practices, and procedures relating to the security of and access to Building 197." We note that records responsive to your request were released as part of the JAGMAN report, as a well as other subsequent related FOIA requests publicly posted in the Department of the Navy Reading Room, viewable at <http://foia.navy.mil>.

There is no Newport Rhode Island Navy Yard. We assume that you are referring to Naval Station Newport (NAVSTA NEWPORT). NAVSTA NEWPORT is located under Commander, Navy Region Mid-Atlantic (CNRMA), this Naval Station is a subcomponent of CNIC.

Specifically in response to Item 9, a search of our offices for potentially responsive documents produced one document, "Naval Support Activity Washington Instruction 5530.14" regarding Naval Support Activity Washington Installation Access Control," consisting of 18 pages. It is released to you in its entirety.

In regard to items 11-24, DONCAF is no longer active and has been replaced by DoDCAF. While it was in operation, it was operated by Navy Criminal Investigative Service (NCIS). Responsive documents pertaining to these items with regard to DONCAF/ DoDCAF maintenance of security clearances, Personal Security Program, the policy which governs the DoD Personnel Security Program, the DoD, 5200.2-R, DoD Directive 5220.6, SECNAV M-5510.30, and Implementation of Adjudicative Guidelines for Determining Eligibility for Access to Classified Information of Aug 2006 are publicly available at: <http://doni.daps.dla.mil/default.aspx> .

Per the DoD OFOI letter sent to you on March 18, 2014, DoD OFOI is processing items 25-30 of your request.

If you believe an adequate search for records was not accomplished, you may file an appeal on our failure to locate records responsive to your request. You may file a written administrative appeal to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be postmarked within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

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Additionally, the 2007 FOIA amendments directed the Chief FOIA Officer of each agency to designate one or more FOIA Public Liaisons. Please be advised that the DON FOIA Public Liaison is available to assist in disputes between the requester and the agency. The role of the Liaison is to provide FOIA requesters with an avenue to raise concerns about the service received from a Navy Requester Service Center.

You may write to the DON FOIA Public Liaison at Department of the Navy Chief Information Office (DON CIO), 1000 Navy Pentagon, Washington, DC 20350-1000. Alternately, you may contact the DON FOIA Public Liaison via telephone at (703) 695-1297, via fax at (703) 614-4388, or via email at DONFOIAPublicLiaison@navy.mil.

In this instance, the fees associated with the processing of this request were below the minimum threshold and have not been assessed. Please be advised, however, that fees, fee categories, and fee waivers are determined on a case-by-case basis, and a previous determination has no influence on future determinations.

Questions regarding the action this office has taken during the processing of your request may be directed to our FOIA Service Center at (202) 685-0412.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Patterson", is written over a horizontal line.

R. Patterson
Head, DON PA/FOIA Program Office